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AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

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November 7, 2002

TO: Audit Committee

FROM: J. Tyler McCauley *tm*  
Auditor-Controller

SUBJECT: **SUNSET REVIEW OF THE LOS ANGELES COUNTY MEDICAL MILK COMMISSION**

**RECOMMENDATION**

The Audit Committee recommend to the Board of Supervisors (Board) that the Los Angeles County Medical Milk Commission be disbanded.

**BACKGROUND**

The Los Angeles County Medical Milk Commission (Commission) was established in 1968 by Board Order No. 184 of April 2, 1968, pursuant to Section 35921 of the California Food and Agricultural Code.

Prior to the Board's amendment on March 27, 2001, County Health and Safety Code, Title 11, Section 11.12.380 required that raw milk be pasteurized or certified before sale within Los Angeles County. The Board established the Commission to provide the required certification to raw milk producer(s) in the County. The Commission was also designated to:

- Adopt rules, regulations and standards governing the production, distribution and sale of certified raw milk, as it deems necessary to protect public health and safety in the County.
- Conduct any tests it finds reasonably necessary to carry out the purpose of Article 7, Sections 35901 through 35928, of the California Food & Agricultural Code, and employ personnel to conduct such tests or perform other duties, as it deems necessary.
- Establish necessary fees to provide the funds to cover the costs of certifying milk.

According to the California Food and Agricultural Code, each member of the Commission must be a Los Angeles County resident nominated from the following groups:

1. A physician nominated by a County Medical Association
2. A physician nominated by the Los Angeles County Department of Health Services
3. A veterinarian nominated by the County or regional veterinarian organization
4. A physician nominated by the producer(s) of certified milk in Los Angeles County
5. A physician nominated by the American Association of Medical Milk Commissions, Inc.
6. A public member appointed by the Board.

Commission members receive \$25 compensation for each day spent on official business payable from fees collected for certifying raw milk products.

**JUSTIFICATION**

On March 27, 2001, the Board amended the County Health and Safety Code, Title 11, Section 11.12.380 via Ordinance No. 2001-0031, granting exemption from certification for two State approved raw milk products (Guaranteed and Grade A), before sale in Los Angeles County. The amendment negates the need for these raw milk products to require additional certification by the Commission. Additionally, there is no longer any producer of certified raw milk in the County or in any of the contiguous counties that would require the County to have a Medical Milk Commission. Therefore, we recommend that the Commission be disbanded.

Please call me if you have any questions.

JTM:DR:RD  
Attachments

c: Jim Corbett, Manager, Commission Services  
Kenneth L. Marks, REHS, Department of Health Services

COMMISSION SUNSET REVIEW  
LOS ANGELES COUNTY MEDICAL MILK COMMISSION  
REVIEW COMMENTS

**Mission.** (Does the mission statement agree with the Board of Supervisors' purpose and expectations?)

Stated mission is as set forth in the ordinance creating the Commission. However, the Board has amended the ordinance and the purpose for creating the Commission no longer applies. **CONCUR, BUT NO LONGER APPLIES**

**Section 1. Relevancy.** (Is the mission still relevant and in agreement with the Board of Supervisors' purpose and expectations?)

Los Angeles County Health and Safety Code Title 11, Section 11.12.380 (before the amendment by the Board on March 27, 2001) required that milk offered for sale within the County be pasteurized, with an exception granted to certified raw milk. The Commission was created to certify raw milk for any producer who sells their product(s) in Los Angeles County. The Commission was designated to adopt rules, regulations and standards governing the production, distribution and sale of certified milk in the County. The Commission is the only one of its kind in the State.

On March 27, 2001, the Board voted to amend Section 11.12.380 via Ordinance No. 2001-0031 allowing State certified raw milk (Grade A and Guaranteed) to be sold in Los Angeles County. The amendment negates the need for raw milk sold in the County to require certification by the Commission. **IRRELEVANT**

**Section 2. Meetings and Attendance.** (Are required meetings held and is attendance satisfactory?)

The Commission is required to meet once a month. However, since there is no raw milk producer in the County to monitor, the Commission has not met since November 1999. Additionally, the Board's amendment to allow State certified raw milk in the County makes it unnecessary for the Commission to meet.

**NOT APPLICABLE**

**Sections 3 and 4. Accomplishments and Results.** (Are listed accomplishments and results significant?)

During its operational years, the Commission:

- Established standards based on laboratory results and medical principles to produce certified raw milk and raw milk products free of pathogens.

- Recalled 51 products from distribution and sale to consumers between 1978 and 1998.

Although the Commission achieved significant results during its operational years, their duties are no longer relevant based on the current County Health and Safety Code. **INSIGNIFICANT**

**Section 5. Objectives.** (Are the objectives compatible with the mission and goals and relevant within the current County environment?)

There is no longer any product to certify. The Board deems State certifications for raw milk satisfactory. Therefore, there is no longer a need for the Commission. **IRRELEVANT**

**Section 6. Resources.** (Are the resources utilized by the entity in support of the entity's activities warranted in terms of the accomplishments and results?)

The Commission does not have a separate budget. The Commission has not incurred any costs since November 1999. **NOT APPLICABLE**

**Section 7. Recommendation.**

**DISBAND THE LOS ANGELES COUNTY MEDICAL MILK COMMISSION.**